



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: THE COMMISSION
STAFF DIRECTOR
GENERAL COUNSEL
FEC PRESS OFFICE
FEC PUBLIC DISCLOSURE

FROM: COMMISSION SECRETARY *D.H.*

DATE: April 19, 2006

SUBJECT: COMMENT: DRAFT AO 2006-11

Transmitted herewith is a timely submitted comment by Mr. Marc E. Elias and Ms. Caroline P. Goodson on behalf of the Washington Democratic State Central Committee regarding the above-captioned matter.

Proposed Advisory Opinion 2006-11 is on the agenda for Thursday, April 20, 2006.

Attachment



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April 19, 2006

Lawrence H. Norton, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: Comments on Advisory Opinion Request 2006-11

Dear Mr. Norton:

We are writing on behalf of the Washington Democratic State Central Committee (the "Committee") to express our support for the draft Advisory Opinion 2006-11 circulated by the Office of General Counsel on April 13, 2006 (the "Draft AO"). We also seek additional clarification regarding the sentence: "No contribution or coordinated expenditure would be made by the State Party Committee so long as the PCC pays at least its proportionate share of the cost of the mass mailing." Draft AO at 6, line 8. Specifically, we wish to confirm that it is permissible for the portion of a mailing attributable to a clearly identified candidate in the Draft AO to be one or a combination of the following: (1) an in-kind contribution, subject to the limitations set forth in 11 C.F.R. § 110.2, (2) a coordinated expenditure, subject to the limitations, restrictions and requirements of 11 C.F.R. §§ 109.32 and 109.33, or (3) reimbursed by the clearly identified federal candidate or his or her authorized committee. *See* 11 C.F.R. § 106.8(b)(2).

Very truly yours,



Marc E. Elias
Caroline P. Goodson
Counsel to the Washington Democratic State Central Committee

[15934-0010/DA061070.016]

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Perkins Coie LLP and Affiliates

April 19, 2006

Page 2

cc: Chairman Michael E. Toner
Vice Chairman Robert D. Lenhard
Commissioner David M. Mason
Commissioner Hans A. von Spakovsky
Commissioner Steven T. Walther
Commissioner Ellen L. Weintraub